IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
(SPECIAL ORIGINAL JURISDICTION)

THURSDAY THE FIRST DAY OF APRIL TWO THOUSAND AND FOUR
: PRESENT :
THE HON'BLE MR.JUSTICE: **R. SUBHASH REDDY**

W.P. No.25764 of 2002

Between:
D. Adinarayana

Petitioner

AND

1. Deputy Registrar/Officer on Special Duty, District Coop. Central Bank ltd, Srikakulam.
2. The Srikakulam District Coop Central bank ltd, Srikakulam, rep. by its General Manager.

Respondents

Petition under Section 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court will be pleased to issue a writ, order or direction more particularly in the nature of writ of mandamus declaring the action of the Ist respondent i.e. Deputy Registrar officer on Speciqal Duty, District Coop. Central Bank ltd, Srikakulam in issuing fresh surcharge orders in Rc.No.3/2001/SI, dt. 21-4-2002, as without jurisdiction, illegal, arbitrary, fraudulent, malafide

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The petition coming on for hearing, upon perusing the petition and the affidavit filed in support thereof and the order of the High Court dated 2-1-2003 made in WPMP.No.32534/2002,and upon hearing the arguments of Mr.D.V. Bhadram, Advocate for the Petitioner.

The Court made the following ORDER :

"This Writ Petition is filed questioning the order dated 21-4-2002 passed under Section of 60(1) of the A.P. Co.op. Societies Act, 1964. It is not in dispute that, against this order, alternative remedy, by way of appeal, is provided under Section 76 of the Very Act, itself. In that view of the matter, there is no valid reason for the petitioner, for straight away approaching to this court without availing alternative remedy.

In that view of the matter, I dispose of the WP, permitting the petitioner, to avail alternative remedy, within a period Six Weeks from the date of receipt of this order. If such appeal is filed, the appellant tribunal constituted under the Act shall receive and dispose of the same, on merits Status quo order granted by this court on 2-1-2003 shall continue for a period of Six Weeks.

WP is accordingly disposed of . No costs."

ASSISTANT REGISTRAR
// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Deputy Registrar/Officer on Special Duty, District Coop. Central Bank ltd, Srikakulam.
2. The General Manager. Srikakulam District Coop Central bank ltd, Srikakulam,
   (**1 & 2 BY RPAD)**
3. One Spare Copy.

Drafted by: KK
Drafted on: 2-4-2004

HIGH COURT

RSRJ

DT. 1-4-2004

ORDER

W.P.NO.25764 OF 2002